## REMARKS

The Notice of Failure to Acceptably Respond to Notice of Non-Compliant

Amendment found that applicant's amendment document, filed August 15, 2007, in
response to the Office's Notice of Non-Compliant Amendment, mailed August 2, 2007,
did not acceptably respond to the Notice of Non-Compliant Amendment because the
entire Amendments to the Claims section of applicant's Response, mailed July 30,
2007, was not resubmitted with the corrections required by the Notice of Non-Compliant
Amendment; only the corrected amendments to claims 18 and 21 were submitted.
Claims 18 and 21 were found by the Notice of Non-Compliant Amendment not to be in
compliance with 37 C.F.R. 1.121 or 1.4 because they were not provided with correct
status identifiers. The status identifiers of claims 18 and 21 have been corrected.
Applicant notes that claims 18 and 21 have been replicated, but for the amended status
identifiers, including the amendment markings, for clarity. This paper resubmits the
entire Amendments to the Claims section of applicant's Response.

## Conclusion

In light of the above amendments and remarks, applicant respectfully submits that the application is in compliance with Rule 1.121 and/or 1.4 and requests that his amendment filed on July 30, 2007 be examined.

Respectfully submitted,

/Brian Beverly/

Brian Beverly, Reg. 39,609 Attorney for Applicant One Kaiser Plaza, Suite 750 Oakland, California 94612 Telephone: (510) 832-8700 Facsimile: (510) 836-2595

28